

**IMPLEMENTATION PLAN
of the
DEPARTMENT OF ENVIRONMENTAL QUALITY
for the
ENVIRONMENTAL ADVISORY COUNCIL
RECOMMENDATIONS TO IMPROVE PUBLIC INVOLVEMENT**

**Fiscal Year 2004
February 2004**

INTRODUCTION

In March 2003, Department of Environmental Quality (DEQ) Director Steve Chester created the Environmental Advisory Council (EAC) to advise the DEQ on its major programs and policies. The EAC consists of 25 members representing a wide range of interests affected by DEQ activities, including citizen organizations, the regulated community, local government, academia, and others. As an initial charge, the EAC was asked to recommend to the DEQ how to improve the effectiveness of public involvement in its activities.

On September 2, 2003, the EAC submitted a set of Draft Recommendations to the public and DEQ staff for comment. Public and staff comment on those recommendations was considered by the EAC at its November 2003 meeting. The EAC submitted its Final Recommendations to the DEQ in February 2004.

Because the EAC wanted the DEQ to move quickly and continuously to improve public involvement, they asked the DEQ to simultaneously develop and submit for EAC consideration a plan to implement the recommendations. A draft Implementation Plan was provided to the EAC in December 2003 and considered in conjunction with the finalization of the EAC's recommendations. The EAC supported the DEQ's Final Implementation Plan in February 2004.

OVERVIEW

This Implementation Plan is organized by specific recommendations made by the EAC. It is designed to inform both the EAC and the public of the steps the DEQ will take to implement the EAC's Recommendations during Fiscal Year 04 (October 1, 2003 to September 30 2004). This Plan recognizes recently initiated, ongoing, and planned actions of the DEQ in furtherance of those recommendations. The DEQ learned from and considered public comment received on the EAC's Draft Recommendations in developing this Plan.

The DEQ was required to balance a variety of factors in developing this Plan. Two sets are of special note. First are the need to involve the public and the need to take timely action. These are not mutually exclusive interests. Effective public involvement can facilitate efficient and timely decision-making, but to achieve these purposes, public involvement must be targeted to reaching a decision, not undertaken for the sake of process. Second, what are the benefits of actions to improve public involvement and the costs of those actions? We must focus carefully on those responses that will be most beneficial for the investment made, especially in this time of limited governmental funding.

This Plan reflects the best judgment of the DEQ on how to balance these interests at this time. In doing so, we looked to the Principles of Effective Public Involvement outlined in the EAC's Recommendations as the basis for designing specific actions. We also considered Michigan's long term tradition of focusing agency actions on fostering equal participation by the public. Thus, much of the Implementation Plan describes processes by which the DEQ can better encourage involvement by all segments of the public. In addition, the Implementation Plan seeks to continuously improve the quality of decisions. The DEQ believes that the quality of decisions is directly related to the quality of available information. In that regard, the Implementation Plan includes actions to better help the public understand the issues before the DEQ, and how decisions are made so that the public can better contribute timely and relevant information to decisions.

The DEQ recognizes that, beyond tracking the activities described in the Implementation Plan, it will be difficult to evaluate success of the overall effort. Based on the above considerations, success will be related to equality of access, and quality of decisions. But these measures are hard to quantify. The DEQ believes that improvements in our efforts can and should occur over time as circumstances change and as we learn how to better meet the competing demands before us. To that end, the DEQ will continue to seek the advice of the EAC and the public we serve.

The DEQ thanks the EAC for its role in improving Michigan's environment, and the operations of the DEQ.

REPORTING

The DEQ will provide verbal reports on significant activities under this plan to the EAC monthly. Written reports will be provided semi-annually and be posted on the DEQ Web site. A revised Implementation Plan will be provided for FY05.

RECOMMENDATIONS AND RESPONSE

This Plan describes the actions the DEQ will take to improve public involvement. To assist the public in understanding these actions and how they fit into the DEQ's overall public involvement program, the DEQ will develop a Public Involvement Handbook. This Handbook will be completed by September 30, 2004.

A.1 *The DEQ should enhance its efforts to train staff on how to work with the public, communication skills, conflict resolution, and public meeting facilitation. The DEQ should also consider employing specialists who can bring experience and expertise to these activities.*

Overview

The DEQ supports training to improve the skills and effectiveness of staff and has made leadership, management and in-service training a priority under the Fiscal Year (FY) 2004 Strategic Plan. In the context of public involvement, communication is often the key. Therefore, the DEQ will focus training resources on improving the communication skills of DEQ staff. The DEQ will also improve specific skill sets related to public involvement.

Actions

1. The Office of Personnel Services (OPS) will identify applicable Civil Service training courses and provide a list to DEQ staff by March 1, 2004. Emphasis will be put on communicating with the public in person and writing in simple language and on other priorities that will be identified by DEQ staff.
2. The DEQ will identify staff in each district office, and a limited number of staff from each division to receive specialized training in public involvement skills. The training program will be designed and initiated by September 30, 2004. To the extent possible, DEQ staff who has expertise in public involvement will be used to provide this training.
3. The DEQ will participate in training being developed through the Civil Discourse Project and arrange for training modules at appropriate division and district events during FY04.
4. The Office of Communication and Education will update the DEQ's public/media communications kit and make it available to staff through the DEQ intranet by June 1, 2004.
5. The DEQ will develop model language for use in public forums to describe DEQ roles and responsibilities. Each division will provide guidance to staff, modifying the language to fit the division as appropriate. The guidance will be completed by June 1, 2004.

A.2 *DEQ management should recognize the value of staff participation in a professional capacity as members of professional organizations and in environmental projects in their local communities. Staff should also feel enabled to be visible in their community in a personal capacity, keeping in mind the need to avoid conflicts of interests or inappropriate use of authority through their affiliation with the DEQ.*

Overview

DEQ staff should consider themselves members of their communities—both professionally and personally. Professional organizational memberships, however, must be balanced against other demands on staff time and the potential for inappropriate, or the perception of inappropriate, mixing of professional and private roles.

Actions

1. By March 1, 2004, each division will catalog associations and professional organizations to which its staff belong or have requested membership. On an ongoing basis, each division will request authorization for payment of membership dues for appropriate organizations in accordance with Executive Directive 2003-21. If payment of membership dues is not appropriate or not authorized by the Department of Management and Budget, divisions will otherwise enable staff involvement in appropriate organizations by, for example, supporting staff involvement through means such as the use of work hours for membership activities.
2. The Director will issue to staff a memorandum supporting involvement in community activity as private citizens. This memorandum will clarify how to avoid conflicts of interest and inappropriate use of authority when acting in a personal capacity. This memorandum will be issued by April 1, 2004.

A.3 *The DEQ should invest in developing and fostering awareness among its staff that there is value in bringing multiple perspectives to bear when examining an issue.*

Overview

We live in a diverse society that believes that there is strength in that diversity. Recognizing that this knowledge is best gained through actual experience, the DEQ will seek to provide such experience for staff.

Actions

1. The DEQ will organize periodic department-level forums on high profile, controversial, or innovative projects and programs. In each forum, invited speakers with differing perspectives on a topic will illustrate how differing individuals and organizations approach issues before the DEQ. At least three such forums will be held during FY04.
2. The value of multiple perspectives in addressing issues before the DEQ will be a training module in the Management training to be developed under Recommendation A.4.
3. The DEQ will look for opportunities to involve staff in EAC meetings as a demonstration of how multiple perspectives can beneficially approach an issue. This activity will be ongoing.

A.4 *The DEQ should encourage leadership development among its staff and foster interaction among emerging leaders in the DEQ and organizations involved in DEQ activities.*

Overview

Leadership is partially a function of opportunity. The DEQ will seek to foster such opportunity for its staff.

Action

1. The Financial and Business Services Division will create and implement Management Training, and will participate in the external development of and staff participation in a Leadership Academy. Such training helps prepare the next generation of DEQ leadership and also benefits outside organizations participating in the training. Pilot Management Training will be completed by October 2004. This project is an identified priority under the DEQ FY04 Strategic Plan.

- B.1 Individual programs within the DEQ should review their decision-making processes to identify earlier opportunities for public involvement. This may include the potential for earlier notification of pending actions—such as the receipt of permit applications—and encouraging applicants to voluntarily involve the public as early in the process as feasible. The EAC recognizes that such early involvement mechanisms will not be appropriate or necessary for all decisions within a particular program. Individual programs should develop criteria to identify the types of decisions for which such mechanisms are appropriate.***
- B.2 The DEQ should notify the public of pending actions or activities early enough to obtain and evaluate information, formulate and express opinions, options and suggestions prior to DEQ action.***

Overview

The DEQ presently has a number of measures in place to notify the public of pending actions and to facilitate involvement. Yet additional opportunities for improvement have been identified. Many of them relate to better communication of information. The DEQ will also develop a common methodology for identifying and evaluating public involvement processes. While steps will also be taken to encourage earlier public involvement by applicants, new legal obligations cannot be imposed without the appropriate involvement of the public.

Actions

1. Each division will catalogue, using a standardized framework, major types of decision with the potential for public interest. This framework will specify the current timing for notification of the pending decision and applicable public involvement opportunities. It will also analyze the need and potential for earlier notification and earlier public involvement based on criteria developed by individual programs. The framework will be completed by each division by July 1, 2004.
2. Divisions will modify processes to address opportunities identified in Item 1, or identify needed statutory or administrative rule amendments, or other necessary actions, by September 30, 2004.
3. All divisions will examine their processes for notifying the public of changes in policies and interpretations and make recommendations for improvement. This process will be completed by August 1, 2004.
4. The Air Quality Division (AQD) will reflect in information materials, application forms, and discussions with applicants the benefits of early community involvement. For permits that will likely involve a high degree of public interest, the AQD will encourage the applicant to voluntarily provide, as part of their submittal to the AQD, information as to the extent of early notification of the community. This information will help the AQD determine how best to involve the public in the decision-making

process, but will not be used to determine whether the project itself can be permitted. This action will be initiated by March 1, 2004.

5. The AQD Permit Section is currently providing notification of received applications by sending a list of such applications to each county as well as by posting it on the AQD Web site. Significant applications may also be published in the DEQ Calendar.
6. The AQD develops a Fact Sheet on significant proposals and distributes staff evaluations via mail and the AQD Web site. Copies of the documents are also available at the District Office, Lansing and occasionally at other locations.
7. The GLMD will focus on providing more information about projects in a user-friendly manner. The feasibility and cost of upgrading information through the Web ("CIWPIS on line"), and developing a GIS based "Map Locator" to facilitate information retrieval will be investigated for Land and Water Management programs. In addition, the division will add more information to its Web pages to help the public better understand the purposes for its programs, the process used to issue permits, and the criteria used to determine whether a project can be permitted or not. Review and implementation will occur during FY04.
8. The Remediation and Redevelopment Division (RRD) will develop a "Community Involvement" kit (initiated by the RRD Communications Team -- RRDCT) on the Intranet for staff that will provide user friendly guidance for involvement in RRD programs and will enhance already existing RRD and DEQ public involvement initiatives. This process will be ongoing during FY04.
9. The Water Division (WD) Website lists active NPDES permits, General NPDES Permits, and permits on public notice. The public notice section includes the public notice, fact sheet, and draft permit. Significant permit applications may also be posted in the DEQ Calendar.
10. The WD's new West Nile Virus Web site includes a listing of individuals/organizations that intend to apply pesticides to waters of state for mosquito control.
11. The WD is developing a series of Web site improvements for adoption in FY04 :
 - On-line posting of the status of NPDES, groundwater and Aquatic Nuisance Control (ANC) applications.
 - Expanding the NPDES public notice section to include permit specific applications and anti-degradation demonstrations, if applicable. Other improvements include listing the permit re-issuance schedule.
 - Direct on-line capability for the public to provide comments to the DEQ on NPDES and state groundwater discharge permits.
 - The implementation plan for reducing the backlog of groundwater discharge permits will be available on the Web page. Directions to this plan will be listed with the groundwater permit status page.

- A detailed description of the permit decision making process from the timing of the application to issuance including the appeal process will be posted on-line.
12. In July 2003, the Waste and Hazardous Materials Division (WHMD) established its first community advisory panel associated with the corrective action responsibilities of a hazardous waste facility. One of the purposes of this panel is to provide early notification to the community of actions associated with the corrective action activities.
 13. The WHMD will revise the Part 115 construction permit process to encourage applicants to involve the community prior to submission of applications for new ("greenfield") landfill construction. The WHMD will provide earlier notification to the community than is normally done if an applicant chooses not to conduct such early involvement.
 14. The WHMD will review hazardous waste management operating licenses and other enforceable documents for opportunities to require companies to initiate public participation programs to inform the public informed during project development, review, and approval.
 15. The WHMD will publicize on the Internet the annual RCRA Grant Work Plan commitments for Part 111 licenses, closure plans, post-closure plans, and corrective action plans, and the schedule for Part 115 operating license renewals, organized geographically if possible.
 16. The WHMD will propose amendments to the Part 111 rules to require construction permit and operating license applicants to submit with the application a response to relevant comments received from the public during the pre-application meeting, providing an opportunity for the applicants to explain their proposed actions.

B.3 The DEQ should review and improve its mechanisms for providing notice of pending decisions, including the feasibility of individual notice to citizens directly affected by significant site-specific permit decisions.

Overview

Providing effective notice is difficult due to the number of ways members of the public obtain information. Utilizing a variety of methods can be expensive and potentially slow decision-making processes. Electronic communication has allowed much improvement, but still is not a complete answer. The DEQ has been improving methods of involvement and will continue to do so. Other improvements will only be possible through an improved dialogue with affected interests.

Actions

1. The DEQ provides individual notice to citizens directly affected by site-specific decisions in the following ways:
 - The Permit Section of the AQD provides public notice through a minimum of two papers (one daily and one weekly), the AQD Web site, the Department Calendar, letters to city and county officials and direct mailing of public participation documents to all those who have expressed an interest during the review process or had previously expressed interest on activities at that facility or a nearby facility. The permit section will continue to develop mailing lists for use in subsequent permitting activities. These lists can be expanded for use by the enforcement unit for notification of alleged violations.
 - The land and water management programs of the GLMD public notice applications once administratively complete. The notice is sent to local units of government and adjacent property owners. In one Geological Survey program of the GLMD, surface owners are notified; in another surface owners within two miles are notified, unless there are too many, then a newspaper notice is used.
 - The Water Division has a well established public participation process in the NPDES permit program that includes elements above the basic federal and state requirements. Public notices for NPDES permits are published in the local newspaper and sent to local units of government, adjacent property owners, local health departments, county drain commissioners, and other parties requested to be on the mailing list. Interested watershed advisory groups will be added to this list. Public notices have also recently been posted on the DEQ Web page.
 - For hazardous waste management construction permit and operating license applications, the DEQ develops facility-specific mailing lists. These mailing lists include the people who attended the pre-application informational meeting and any other public meeting held by the DEQ prior to the draft

decision, local elected officials, and everyone else who asks to be on the mailing list. For solid waste management construction permits, the DEQ notifies the local government officials of the public hearings.

2. The DEQ Calendar will be modified to provide guidance to users on how to quickly and easily locate decisions or activities by geographic location. These changes will be made by March 1, 2004.
3. The Press Secretary and ESSD will review the potential for sending the Department Calendar to local media on a regional basis, highlighting significant actions in each region. The Press Secretary will also encourage media outlets to provide hot links to the DEQ Web site in on-line stories. The Press Secretary will also review policies on issuing press releases for announcements of public hearing and major decisions. These reviews will be conducted by April 1, 2004.
4. The DEQ will initiate discussions with Environmental Justice and environmental communities, and Native American Tribes on how to effectively provide notice of pending actions to citizens who may not be reached by traditional means. Recommendations will be provided to the Director by September 30, 2004.
5. The RRD will, for significant decisions or when there is widespread public interest in site specific cleanups: (1) modify meeting attendance cards to enable citizens to provide their e-mail address to receive future site-specific updates, and to provide public feedback and suggestions to DEQ on improving the public meeting/hearing/comment process; and (2) review and improve existing mechanisms for providing notice of pending decisions (e.g., use of RRD/STD listservers). This process will be ongoing during FY04.
6. The WHMD will review the potential for direct notification of area residents for proposals to construct a hazardous waste treatment, storage, or disposal facility, or a new ("greenfield") solid waste landfill. Recommendations will be made by March 1, 2004.

B.4 DEQ program managers should strive to provide meaningful public involvement opportunities appropriate for each situation considering the issues, locations, potential environmental and human health implications, potential for controversy, specific needs of the public and the DEQ, and the time frame for decision-making. For significant decisions, or when there is widespread public interest, the DEQ should use multiple approaches (e.g., meetings, hearings, workshops) for involving the public. The common element should be interaction between DEQ staff and the affected public.

Overview

The essence of this recommendation is arranging forums to foster, rather than inhibit dialogue between the DEQ and the public. Some techniques to that end are well known and are often employed. The expense and time involved in using such techniques can be an inhibiting factor. The DEQ must continue to learn from experience how to balance these interests. In addition, there may be some reluctance caused by the fear of negative public interactions. DEQ leadership must assist staff in addressing this concern.

Actions

1. Many DEQ programs are required to hold specific public comment periods (generally 30 days) and provide an opportunity for a hearing for large and/or controversial projects. Staff is generally available before any public hearing to discuss issues and concerns. For very complex and/or controversial issues, divisions generally hold an announced informational meeting. This meeting may be the night of the hearing or may be held beforehand. Information on a public meeting is announced in the public comment period notice. Informational meetings are typically held in an open house format to encourage direct interaction between the public and staff. Staff of other divisions as well as the local health department may also be available to answer questions. A "Frequently Asked Questions" document and/or other pertinent documents are developed to assist. The public hearing and any informational meeting are held in the community in either a school or other easily accessible building. The hearing and meeting are held in the evening and staff remains until everyone has had an opportunity to speak.
2. The DEQ has reinstated the use of public hearing formats in which the public can speak and place on the record their comments before all others present.
3. Director's Forums were held in Traverse City, Marquette, Gaylord, and Kalamazoo in FY03. These forums provide an opportunity for the public to meet and discuss issues with DEQ Executive Office, division, and district personnel. Four similar forums will be held in FY04.
4. The DEQ will review its interim policy on public participation and community outreach for controversial actions by June 1, 2004. If necessary, the policy will be updated to be consistent with the EAC's recommendations and this Plan.

5. For significant decisions, or when there is widespread public interest, the GLMD will develop guidance on how to best use multiple approaches (e.g., meetings, hearings, workshops) for involving the public. The Land and Water Management programs sometimes modify the formal hearing process by adding an informal portion to facilitate information exchange. The Geological Survey oil and gas program has a legally prescribed formal hearing process. The current processes will be carefully evaluated in developing the guidance. A survey form will be developed and given to all participants in GLMD public hearings seeking their feedback and suggestions to improve the hearing process. This evaluation and modification process will be completed by September 30, 2004.
6. The WHMD will develop a recommendation to the Director on whether or not to seek amendments to Part 111 of Act 451 to return decision-making authority to the Site Review Board. This recommendation will be completed by March 31, 2004.
7. The WHMD will develop improvements for Part 115 public hearings that will facilitate better communication between the DEQ and the public. Improvements will be adopted by June 1, 2004.

B.5 *The DEQ should provide policy, program, and technical information to the public at the earliest practicable times and throughout the decision-making process. This information should be provided to enable potentially affected or interested persons to make informed and constructive contributions to decision-making. The DEQ should cooperate with and support efforts to provide general training for citizens about how to participate in DEQ decision-making processes and basic primers on common permit-related issues such as those in the air and water quality programs. The DEQ should also develop and implement mechanisms to more effectively convey information about specific proposals before the DEQ. This information should include the facts of the proposal and the opportunities for individuals to participate in the decision-making process.*

Overview

The DEQ believes that the quality of decisions is directly related to the quality of available information. There are many things the DEQ can do to help the public understand the issues before the DEQ and how decisions are made so that the public can better contribute timely and relevant information to decisions.

Actions

1. The DEQ will develop, in consultation with stakeholders, citizen action guides for major permitting and cleanup programs and make them available to the public through the Environmental Assistance Center and on the Internet. A publication on the wastewater permit process is already under development. Two guides will be developed during FY04.
2. The DEQ will develop and submit for publication in newspapers throughout the state an article describing how the public can become involved in DEQ activities. Initial focus will be on communities likely to host significant DEQ-related issues. The article will be submitted to at least six newspapers in FY04.
3. The DEQ will develop, in consultation with stakeholders, program-specific technical and public participation training for citizens groups and local officials in major program areas. This training would be available upon request (as resources allow) at events such as organization annual meetings. One pilot program will develop training in FY04.
4. The DEQ will add public involvement paragraphs within the DEQ Permits Guidebook explaining best public input opportunities; how the public learns about the permit action; and identification of the decision-maker by job title. This information will be available in the next edition of the Guidebook, expected in September, 2004.
5. The RRD will develop a user friendly "Citizen Involvement in DEQ/RRD programs" type of brochure/fact sheet that will: (1) highlight citizen involvement mechanisms; (2) promote DEQ Calendar, 1-800#, listserver, and DEQ Web page; and (3) direct

the public to proper authorities re: some major issues that often get misdirected to RRD. This effort will be completed August 2004.

B.6 *The DEQ should enhance coordination and communication with local units of government. Special attention should be paid to local governmental action acting under DEQ programs (e.g., soil erosion and sedimentation control) and in related program areas (e.g., wetland protection). Better coordination could make more efficient use of the resources of both the local unit of government and the DEQ in informing the public of proposals of local interest. The DEQ should provide early informal notification of local officials of controversial projects. Likewise, local government should be encouraged to provide early notice to the DEQ of projects that might be of interest to the DEQ. The DEQ should look for opportunities to provide general education for local officials on environmental topics, such as through training seminars sponsored by governmental associations.*

Overview

Local governments should be viewed as partners in much of what the DEQ does. We must find ways of improving that partnership by facilitating communication. Given the number of local governments and the breadth of DEQ activities, we must select the most effective and efficient means of fostering this increased communication.

Actions

1. The DEQ will assign staff in each district office the function of liaison for local units of government, including local health departments. Assignments will be made by March 1, 2004.
2. The DEQ will work with the Michigan Association of Counties, the Michigan Municipal League, and the Michigan Townships Association, and other appropriate groups to identify the most effective ways to coordinate and communicate with local units of government, especially those acting under DEQ programs, such as soil erosion, and in related program areas. The DEQ will work with these associations on a continuing basis to exchange general information on the DEQ's programs. This process will be ongoing during FY04.
3. The DEQ will consolidate existing lists of local officials on the DEQ intranet to facilitate effective communication with local governmental officials by all divisions. The consolidated listing will be available by July 1, 2004.
4. The DEQ ANC program and the Michigan Township Association recently established a process to notify interested townships about pending ANC permit applications.
5. The RRD will distribute electronically to local fire/police departments and local (county) emergency planning commissions a new user friendly "Responding to Vehicle-Related Releases in Michigan" flyer that is intended to make efficient use of the resources of both DEQ and local government when it comes to reporting and

responding to such spills. The RRD will provide electronic access to this document on various DEQ/RRD Web pages. This project will be completed in January 2004.

6. The WHMD will work with local jurisdictions and emergency management personnel regarding responses to and planning for tire site actions; and work with other state and local agencies in developing tire clean up grant criteria regarding the issuance of scrap tire grants. This process will be ongoing during FY04.

B.7 The Internet provides an excellent opportunity to improve public participation. The DEQ should make its Web page more user-friendly so that people can find the information they need. In addition, the Web site should be organized to facilitate public involvement on pending proposals and decisions. The DEQ should provide electronic forms on its Web site to allow the public to submit comments and observations for DEQ

Overview

The Internet is a tremendous tool used by an increasingly large segment of the public. The DEQ's attempt to meet statewide standards for Michigan's internet portals has caused problems with the DEQ Web site. Improvements can be made. However, maintaining timely information on the Web is costly, and the DEQ must find a way to balance this expense against its benefits.

Actions

1. As one of the highest priorities under the DEQ FY04 Strategic Plan, A DEQ work group is redesigning the DEQ Web page to make it easier for the public to use. The group is scheduled to provide a design recommendation to the DEQ Executive Office by December 15, 2003. The EAC will be asked to comment on the proposed design. The following ideas obtained from public comment on the EAC's recommendations will be forwarded to the work group for consideration:
 - Create a public involvement button, and place relevant content on the Web site so people can access this type of non-media specific information.
 - Develop a means of changing information online faster by, for example, allowing specialists in each section to update their section pages.
 - Include on the Web permit application checklists, decision flow charts, typical decision schedules and specific agency contacts related to proposed actions.
 - Increase the use of electronic forms.
 - Have a "What's New" page for each division.
 - Create electronic bulletin boards with e-mail sign up lists for specific issues.
 - List open wetland mitigation construction tasks and annual monitoring reports, so citizens can monitor progress.
 - Post information according to the regulated entities involved.

2. A DEQ work group is developing a means of providing compliance and enforcement related information on the DEQ Web page. The work group's recommendations to the Director are expected during FY04. Input from stakeholders will be sought on these recommendations.
3. The DEQ will begin posting on its Web site background information on significant decisions and actions and will seek to ensure the accuracy of all information posted on the Web site. These actions will be ongoing.
4. AQD permit public participation documents (both prior, during, and after the decision is made) are currently placed on the AQD Web site. In addition, all permit conditions are placed there. The AQD is currently working to make more information available, once the permit section database is revised. The AQD will involve stakeholders in this process.
5. The GLMD is investigating the feasibility and costs of providing electronic forms on the Web site "CIWPIS on Line" to allow the public to submit comments regarding Land and Water Management program permit actions. A recommendation will be made by June 30, 2004.
6. The RRD will continue to create more site-specific Web pages for high profile sites (e.g., Tittabawassee and Gelman), and perhaps devote a special internet page to RRD site specific decisions or major brownfield redevelopments. This process will be ongoing during FY04.

B.8 To further facilitate public understanding and involvement, the DEQ should expand and improve current programs that assist citizens to navigate the DEQ decision-making process. While all DEQ employees have this responsibility to some extent, and should be responsive to citizens needing assistance, the DEQ should consider formalizing a citizen assistance function in some identifiable manner. This could be analogous to the small business assistance function.

Overview

The DEQ, like any large bureaucracy, can be mysterious and intimidating to non-practitioners. We can lessen this problem by making information on how the DEQ works generally available, and many actions throughout this Implementation Plan are geared to that end. However, sometimes hands-on assistance is best and the DEQ will take steps to provide it.

Actions

1. The DEQ will assign to the ESSD the function of assisting the public in navigating the departmental decision making processes. This will include hands on assistance with education and outreach for the public. The function will be in place by April 1, 2004.
2. The DEQ will assign staff within each division the responsibility to assist citizens in navigating their division's decision-making process. These individuals will be identified on the DEQ Web page. The assignments will be made by April 1, 2004.

B.9 The DEQ should ensure that all segments of the public have fair and appropriate access to decision-makers within the DEQ, and that no member of the public is favored over another.

Overview

This is a principle that is more dependent on behavior than institutional structures. The behavior must be encouraged and reinforced from the top, and throughout the organization.

Actions

1. The Director will issue a statement to all DEQ staff affirming the policy of the DEQ to ensure that all segments of the public have fair and appropriate access to decision-makers within the DEQ, and that no member of the public is favored over another. This statement will be issued by March 1, 2004.
2. The DEQ will continue to identify the decision-maker for specific decisions through the DEQ Calendar and for categories of decisions through general publications such as permit guidebooks.

B.10 The DEQ should inform concerned members of the public of the findings and rationale behind decisions. The nature of how this information is provided can be tailored to the nature of the decision, and the number and identity of concerned parties.

Overview

The essence of the administrative process is reasoned decision-making. The administrative record for any DEQ action should demonstrate the underlying basis for it. How this demonstration is made must vary with the decision, and the applicable statutory authority and criteria. Specific descriptions of the underlying reasons should be developed for the most controversial and significant decisions. For others, documentation in DEQ files that is available upon request should be sufficient.

Actions

1. All divisions will develop response to comment documents, and basis of decision documents for all significant decisions. Divisions will establish criteria in each program area for identifying significant decisions in this context. These criteria will be established by June 1, 2004.
2. For other decisions, divisions will develop a convenient way for permit issuing staff to summarize a project, and how it meets legal criteria to receive a permit. Each division will determine whether it is feasible to make these documents available on the Web. This process will be completed during FY04.
3. Each division will distribute a notice of a significant decision on a specific facility or project to all persons at the facility or project mailing list who have indicated an interest in being notified of the decision.

B.11 *The DEQ should develop and implement a process for notifying the public of contested cases and proposed settlements in contested case proceedings.*

Overview

The contested case process is a quasi-judicial proceeding, and hence public involvement is limited by a strict set of procedural rules and standards. Nonetheless, there are things the DEQ can do to help the public with an interest in contested case proceedings.

Action

1. The DEQ will develop a policy for notifying the public of contested cases and proposed settlements in contested case proceedings involving controversial permits of public interest that have been previously denied. This policy will be developed in consultation with stakeholders by April 1, 2004.